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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,260	05/17/2002	Manjunath M Suryanarayana	1419-136 US	6498

7590 07/03/2006

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EXAMINER
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RUTTEN, JAMES D

ART UNIT	PAPER NUMBER
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2192

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/031,260	<b>Applicant(s)</b> SURYANARAYANA, MANJUNATH M	
	<b>Examiner</b> J. Derek Rutten	<b>Art Unit</b> 2192	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to Applicant's amendment dated 4/11/06, responding to the 10/7/05 Office action provided in the rejection of claims 1-58, wherein claims 1, 4-8, 10-13, 16, 21, 27-30, 32, 34-39, 41, 42, 51, 53, and 55-57 have been amended. Claims 1-58 remain pending in the application and have been fully considered by the examiner.

2. Applicant has essentially argued that "OMSOFT: A Change Management Paradigm" is not available as a prior art reference (See Applicants Remarks at the bottom of page 15 filed 4/11/06). This argument is not persuasive, as will be addressed in the *Response to Amendment/Arguments* section below.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Response to Amendment/Arguments***

4. In the 4/11/06 submission, the status of claim 6 is listed as “Original” while it contains markings suggesting that the claim is currently amended. This does not comply to the requirements of 37 CFR 1.121(c)(2) which requires that each claim has a proper status identifier. Also, this creates confusion as to whether the claim was actually intended as amended, or not. Claims 25 and 55 also contain markings but are listed as “Original”. Claims 6, 25, and 55 will be considered as “Currently Amended”. Also, claim 25 contains deletion markings that are not easily perceived. Such deletion markings should be made using double brackets as required by 37 CFR 1.121(c)(2). Future submissions should comply with the requirements of 37 CFR 1.121 and list claims 6, 25, and 55 as either “Currently Amended” or “Previously Amended”.
5. Applicant’s amendments to claims 6 and 34 have corrected the claim objections. Thus, these objections are withdrawn.
6. On page 15 of Applicant’s response filed 4/11/06, Applicant suggests that amendments to claims 1-10 and 41-58 have overcome the prior rejections under 35 U.S.C. § 101, since the claims now refer to an “application network as a hardware element” as supported in the originally filed specification on page 4 lines 28-30 and page 6 lines 11-22. However, review of the specification has not provided any support for an application network as a hardware element. In fact, these passages appear to suggest that such a network is simply a collection of software objects, and is therefore interpreted as software, per se. Further, amendments to claims 1 and 41 to include such an “application network” do not address any deficiencies of claims 46-58, which

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do not include a recitation of an application network. Therefore, Applicant's amendment/arguments do not overcome the previous rejection.

7. Applicant's amendment to claim 11 has overcome the rejection of claims 11-20 under 35 U.S.C. § 112, first paragraph. Thus, this rejection is withdrawn.

8. Applicant's amendments have overcome the rejections of claims 4-8, 10, 11, 12, 13, 27, 28, 29, 30, 32, 34, 35, 36, 37, 38, 39, 41, 42, 51, 53, 55, 56, and 57 under 35 U.S.C. § 112, second paragraph regarding antecedent basis issues. Thus, these rejections have been withdrawn.

9. At the bottom of page 15 of the response filed 4/11/06, Applicant has represented the publication date of the reference "OMSOFT: A Change Management Paradigm" to be 1999, as follows:

The previously presented claims were rejected under 35 U.S.C. § 102 as anticipated by the inventor's dissertation of "OMSOFT" A Change Management Paradigm". Applicant submits that the inventor's dissertation was published by UMI Microfilm [sic] in 1999 which is either after Applicant's priority date or less than one year before Applicant's priority date of April 29, 1999. Accordingly, this reference is not applicable to the present invention.

While providing a publication date from UMI Microform, Applicant has not provided an original publication date of the inventor's dissertation. However, inspection of the first page of the document shows that the dissertation was submitted to Rutgers, The State University of New Jersey, in May 1997. Page 5 displays a copyright notice dated 1997 by the inventor, followed on page 6 by an additional copyright notice dated 1997 by the inventor. According to a circular distributed by the United States Copyright Office, "Use of the notice may be important because it informs the public that the work is protected by copyright, identifies the copyright owner, and **shows the year of first publication**" (emphasis added - See attached "Copyright Notice" page 2 paragraph 1). This suggests that the year of first publication of the dissertation as claimed by the

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inventor was 1997. Further, review of “IRIS”, the Rutgers University Libraries’ Information System, provides additional evidence of publication by listing the dissertation as published in 1997 (See attached library search results, accessed 5/30/06 from <<http://www.iris.rutgers.edu>>). So, while the referenced copy of the dissertation may have been published by UMI in 1999, the original publication, as indicated by Rutgers Library and as claimed by the inventor himself, appears to have been in 1997. Therefore, Applicant’s arguments are not persuasive in view of the evidence of publication made of record with this Office action.

***Claim Rejections - 35 USC § 101***

10. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-10, and 41-58 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim limitations recite functional descriptive matter in terms of software technology including “objects”, “object interface”, and “object port”. These elements describe a software implementation, per se, and so is not tangible. The “environment” of claims 1-10 would be statutory if the recited software elements are coupled with hardware elements in order to provide a tangible implementation. Claims 41-58 are directed to a “system” and suffer the same deficiencies as the “environment” of claims 1-10. Computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical “things.” They are neither computer components nor statutory processes, as they are not “acts” being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other

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claimed elements of a computer which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035. For further information, see Official Gazette, Nov. 22, 2005, 1300 OG 142, "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility", Annex IV(a), which can be found online at <http://www.uspto.gov/web/offices/com/sol/og/2005/week47/patgupa.htm>.

***Claim Rejections - 35 USC § 112***

11. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

12. Claims 11-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 11 recites:

c. determining an interface...by instructing *first objects* with said at least one management object to create a plurality of *first objects* for performing object operations, each said *first object* including an object interface, d. creating an interaction means for connecting said at least one *first object* to said management objects;" (emphasis added).

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Step (d) connects a first object to a management object. However, step (c) provides first objects that have a management object. There is no corresponding description in the originally filed specification if the “first object” of step (d) is interpreted as the “first objects with said at least one management object”. Page 23 lines 5-17 provides a scenario for management objects that enable connections between developer state object ports and management negotiation ports, but no further description of a connection of first objects with management objects that connect to management objects was readily apparent. Claims 12-20 are rejected as being dependent upon a rejected base claim. For the purpose of further examination, this claim will be interpreted in the spirit of the original claim language.

13. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

14. Claims 1-10, and 41-58 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: tangible computer hardware that must form part of a computer-related system. These claims are all “system” claims, but do not recite any such elements that form part of a tangibly embodied system.

### ***Claim Rejections - 35 USC § 102***

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –



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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 1-58 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by

“OMSOFT: A Change Management Paradigm” Ph.D. dissertation by Suryanarayana (hereinafter “OMSOFT”).

In regard to claim 1:

*1. A distributed object-oriented software development environment comprising:*

*an application network comprising a plurality of objects for performing object operations, each object including an object interface;*

*at least one object port coupled to said each object interface of said objects;*

*interaction means for connecting said object port of one of said objects to said object port of another one of said objects,*

*wherein one of said objects can communicate to another one of said objects if said object interfaces are compatible and said interaction means provides sequential flow of data and control from said object operations through a dynamically varying set of said ports having said object interfaces which are compatible for performing consistent and transport dynamic updates of said application network.*

OMSOFT discloses a distributed software development environment that consists of objects in an application network connected via compatible interfaces connected using dynamic object ports for communicating sequential flow of data and control. See Sections 3.2, 3.2.1, and 3.2.2 on pages 40-42.

In regard to claim 2, OMSOFT further discloses:

*2. The environment of claim 1 wherein said interaction means is represented by a circular communication pathway and a first said object port is connected to said circular communication pathway to receive communications from at least a second said object port which is connected to said circular communication pathway. See page 45 and Figure 3-2.*

In regard to claim 3, OMSOFT further discloses:

*3. The environment of claim 1 wherein said interface is described in modified CORBA interface description language. See section 3.3.2.*

In regard to claim 4, OMSOFT further discloses:

*4. The environment of claim 1 further comprising: a plurality of management objects, each said management object being associated with at least one of said objects; a human manager object; and an interface for network evolution for coupling said management objects to said human manager object, wherein said human manager object manages said objects for performing object operations through said management objects. See page 109, section 6.4 paragraph 1.*

In regard to claim 5, OMSOFT further discloses:

*5. The environment of claim 4 wherein said human manager object assigns increasing object version numbers to said objects for performing object operations. See page 16 item 3.*

In regard to claim 6, OMSOFT further discloses:

*6. The environment of claim 5 wherein said human manager object assigns monotonically increasing interface versions to said object interfaces wherein each said object interface has a unique global identification in said application network. See page 91, section 5.9.1.*

In regard to claim 7, OMSOFT further discloses:

*7. The environment of claim 6 further comprising: means for determining said ports having said object interfaces which are compatible interfaces of said objects for performing object operations by registering said global identification and said object version number of said object for performing object operations with said management object. See section 5.9.1.*

In regard to claim 8, OMSOFT further discloses:

*8. The environment of claim 7 further comprising: means for determining an object table comprising rows representing said object versions of said objects for performing object operations in said network application and columns representing an object identification and interface identification; means for sorting said determined object table with respect*

*to an object version; means for sorting a first said sorted object table for a first said object for performing object operations and a second said sorted object table for a second said object with respect to a common said interface identification; means for joining said first said sorted object table and said second said sorted object for performing object operations with respect to said interface identification; and means for extracting said compatible object from said join of said object tables. See example on pages 93-98.*

In regard to claim 9, OMSOFT further discloses:

*9. The environment of claim 8 further comprising: means for sorting a subsequent object table with respect to said common said interface identification; and means for joining said subsequent object table with said joined first said sorted object table and said second said sorted object table. See example on pages 93-98.*

In regard to claim 10, OMSOFT further discloses:

*10. The environment of claim 1 further comprising a life cycle framework including a specification stage in which said objects for performing object operations and said interfaces are specified, a design stage in which said interfaces of said objects for performing object operations are negotiated, an implementation stage in which said negotiated interfaces of said objects for performing object operations are implemented and a testing stage in which said implemented interfaces are tested. See section 3.4 on pages 57-59.*

In regard to claim 11, OMSOFT discloses:

*11. A method for implementing negotiation during software development comprising the steps of:*

*a. determining a human manager object; See page 15, section 1.4.3:*

The human manager has a manager object...

*b. determining at least one management object; See pages 15 and 16, section 1.4.3:*

The manager object and the management object share an interface (Interface for Network Evolution – INE) through which the human manager sends appropriate commands to the management object, to configure and control the application network and its evolution.

*c. determining an interface for network evolution (INE) between said human manager object and said management object, by said human manager object (see pages 15 and 16, section 1.4.3 as cited directly above), by instructing first objects with said at least one management object to create a plurality of first objects for performing object operations, each said object including an object interface, See page 21*

“CreateObject/DestroyObject”:

Human manager sends this command...

*d. creating an interaction means for connecting said at least one first object to said management objects; See page 42, section 3.2.3:*

It is a group interaction mechanism where interaction proceeds...

*e. determining at least one management object port associated with said management object; f. determining at least one object port associated with said first object; See section 3.2, 3.2.1, and 3.2.2 as cited in the above rejection of claim 1.*

*g. forwarding negotiation scripts from said object ports to said management object ports.* See section 8.2: “Tetherless Negotiation Between Developers”, especially the bottom of page 183:

D1 writes this information to the port and then releases and triggers the negotiation port.

In regard to claims 12-18, OMSOFT further discloses:

*12. The method of claim 11 further comprising the step of : assigning tasks of designing said first objects from said human manager object to a respective developers associated with at least one of said first objects.*

*13. The method of claim 12 further comprising the step of : creating a developer negotiation port by said developer for each of said first objects to be developed.*

*14. The method of 13 further comprising the step of : registering said developer negotiation ports with said human manager object.*

*15. The method of claim 14 further comprising: creating management negotiation ports at said management objects which are each associated respectively with one of said developer negotiation ports.*

*16. The method of claim 15 wherein step g comprises: forwarding negotiation scripts written in modified CORBA IDL by said developers through said respective developer negotiation ports to said respective manager negotiation ports for forwarding to designated said first objects.*

*17. The method of claim 16 further comprising the step of : forwarding said scripts written in modified CORBA IDL received at said management object to said human manager object via said INE.*

*18. The method of claim 17 further comprising the step of : interpreting said script written in modified CORBA IDL received at said human manager object into human readable data.*

See section 8.2 on pages 180-186.

In regard to claim 19, OMSOFT further discloses:

*19. The method of claim 11 wherein the step of forwarding negotiations is repeated until all developers have agreed. See page 184, paragraph 1.*

In regard to claim 20, OMSOFT further discloses:

*20. The method of claim 19 wherein said negotiations determine an object interface defined in modified CORBA IDL. See section 3.3.2 on page 55.*

In regard to claim 21, OMSOFT discloses:

*21. A method for implementing a network application comprising the steps of:*  
*determining a plurality of first objects; associating an object port with each of*  
*said first objects; See sections 3.2, 3.2.1, and 3.2.2 as cited above in the rejection of*  
*claim 1.*

*determining transactions for exchanging messages between said first objects; See page 14 paragraph 1:*

Developers write an IDL description that describes the structure, the protocol (independent transactions)...

*determining an object interface for each said first object; and implementing each determined object interface, wherein said messages are exchanged sequentially between said first objects having compatible said object interfaces. See sections 3.2, 3.2.1, and 3.2.2 as cited above in the rejection of claim 1.*

In regard to claim 22, OMSOFT further discloses:

*22. The method of claim 21 further comprising the step of : registering said implemented object and said object interface with a management framework, said management framework returning an object identification and an object version identification and an interface version identification. See section 5.13.1 on pages 100 and 101.*

In regard to claim 23, OMSOFT further discloses:

*23. The method of claim 22 wherein said implementing step further comprises the step of: determining a network application having compatible said object version identifications. See section 5.9.1*

In regard to claim 24, OMSOFT further discloses:

*24. The method of claim 23 wherein said step of determining a network application having compatible object versions comprises the steps of : a. determining an object table*



*comprising rows representing said object identification and said object version identification and columns representing said interface version identification; b. sorting said determined object table with respect to said object version identification; c. sorting a first said sorted object table for a first said object and a second said sorted object table for a second said object with respect to a common said interface identification; d. joining said first said sorted object table and said second said sorted object with respect to said interface identification to form a join of said object tables; and e. extracting said compatible object from said join of said object tables. See example on pages 93-98.*

In regard to claim 25, OMSOFT further discloses:

*25. The method of claim 24 further comprising the steps of : f. sorting a subsequent object table with respect to said common said interface identification; and g. joining said subsequent object table with said joined object table of step (d). See example on pages 93-98.*

In regard to claim 26, OMSOFT further discloses:

*26. The method of claim 24 wherein said object tables are created to have said object version identification and said interface version identification increasing in said rows and said columns. See page 91, section 5.9.1 and Figure 5-3.*

In regard to claim 27, OMSOFT further discloses:

*27. The method of claim 21 further comprising the steps of : determining a plurality of management objects, each said management object being associated with at least one of said first objects; determining a human manager object; determining an interface for network evolution for coupling said management objects to said human manager object; and managing said first objects by said human manager object through interacting with said management objects. All limitations have been addressed in the above rejection of claim 11.*

In regard to claim 28, OMSOFT further discloses:

*28. The method of claim 27 further comprising the steps of : updating said determined first objects; and assigning increasing object version numbers by said human manager object to said updated first objects through said management objects. See section 5.13.1 on pages 100 and 101.*

In regard to claim 29, OMSOFT further discloses:

*29. The method of claim 27 further comprising the step of : updating said object interface; and assigning increasing interface version numbers by said human manager object to said an updated said first object through said management objects. See section 5.13.1 on pages 100 and 101.*

In regard to claim 30, OMSOFT discloses:

*30. A method for setting up a network application comprising the steps of:*

*a. determining a human manager object; b. determining at least one management object; c. determining an interface for network evolution (INE) between said human manager object and said management object, by said human manager object; instructing said at least one management object by said human manager object to create at least one first object for performing object operations, each said first object for performing object operations including an object interface, d. creating an interaction means for connecting said first objects to said management objects, said interaction means also being connected to said INE and said human manager object; These limitations have been addressed in the above rejection of claim 11.*

*e. initializing states at said human manager object of said first objects and forwarding said initialized states to said first objects via said INE to forward to said initialized states to said management object and said management object forwarding said initialized states from said management object to said first objects. See page 119, section 6.5: "Initialization of object states"*

In regard to claim 31, OMSOFT further discloses:

*31. The method of claim 30 after step c further comprising the steps of : f determining a human manager object INE port for said human manager object; g. determining a management object INE port for said management object; and h. associating said INE with said INE port for said management object and said INE port for said manager object. See Figure 6-1.*

In regard to claim 32, OMSOFT further discloses:

*32. The method of claim 31 further comprising the steps of : determining at least one port associated with said management object; and determining at least one object port associated with each said first object. See Figure 6.1.*

In regard to claim 33, OMSOFT further discloses:

*33. The method of claim 30 wherein said object interface is defined in modified CORBA IDL. See section 3.3.2 on page 55*

In regard to claim 34, OMSOFT discloses:

*34. A method for dynamically reconfiguring a network application comprising the steps of:*

*determining a human manager object; determining at least one management object; determining an interface for network evolution (INE) between said human manager object and said management object, by said human manager object, by instructing objects with said at least one management object to create at least one first object for performing object operations, each said first object including an object interface and having an original state, creating an interaction means for connecting said at least one first object to said management objects; determining at least one management object port associated with said management object; determining at least one object port associated with said first object; These limitations have been addressed in the above rejection of claims 11 and 30.*

*establishing quiescent points in at least one of said first objects to be reconfigured through said management object. See page 123, Section 6.6.7:*

Here the management waits until the application gives on its own (voluntarily) same points needed for dynamic reconfiguration.

In regard to claim 35, OMSOFT further discloses:

*35. The method of claim 34 further comprising the step of : forwarding data for updating said at least one object from said first object to said human manager object. See section 6.6.7 on page 123.*

In regard to claim 36, OMSOFT further discloses:

*36. The method of claim 35 further comprising the steps of : determining said port of said first object to be reconfigured; sending a destroy command from said human manager object to destroy said port to be reconfigured; creating a new version of said first object to be reconfigured at said human manager object; forwarding said new version of said first object to said management object; creating a new object having said new version of said first object; and determining a new object port associated with said new object. See section 6.6.10 on pages 126-129.*

In regard to claim 37, OMSOFT further discloses:

*37. The method of claim 36 further comprising the steps of : determining at said human manager object if a said original state of said first object is the same as a state of said new version of said object; and if said original object version and said new version have*

*the same states, replacing said original object version with said new version; or if said original object version and said new version do not have the same state, determining at said human manager object an equivalent state and replacing said original version with said new version. See page 127 item 1.*

In regard to claim 38, OMSOFT further discloses:

*38. The method of claim 37 further comprising the step of forwarding data for updating said at least one interface version from one of said first objects to said human manager object. See page 126 paragraph 1.*

In regard to claim 39, OMSOFT further discloses:

*39. The method of claim 38 further comprising the steps of : determining a number of said first objects to be reconfigured for said updating of said interface version; sending a destroy command from said human manager to destroy said number of first objects to be reconfigured; creating a new version of each said number of first objects to be reconfigured at said human manager object; forwarding said new versions to said management object; and creating a corresponding number of new objects having said new versions. See pages 126-129.*

In regard to claim 40, OMSOFT further discloses:

*40. The method of claim 34 wherein said object interface is defined in modified CORBA IDL. See section 3.3.2 on page 55.*

In regard to claims 41-45, OMSOFT discloses an application network (see section 3.2 on page 40). All further limitations have been addressed in the above rejections of claims 11, and 13-16, respectively.

In regard to claims 46-50, all limitations have been addressed in the above rejections of claims 21-24 and 20, respectively.

In regard to claims 51-54, all limitations have been addressed in the above rejections of claims 31-33, respectively.

In regard to claims 55-58, all limitations have been addressed in the above rejections of claims 34, 36, 39, and 40, respectively.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Derek Rutten whose telephone number is (571) 272-3703. The examiner can normally be reached on T-Th 6:00-6:30, F 6:00-10:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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